

PTO/SB/64 (04-09)

Approved for use through 05/31/2009. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE.

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
21381/0212114-US0

First named inventor: Klaus Ohm

Application No: 10/009,971-Conf. #3314

Art Unit: 2863

Filed: October 30, 2001

Examiner: A. S. Bhat

Title: METHOD OF DETERMINING THE SALT CONTENT OF LIQUID AND DEVICE FOR PRACTICING THE METHOD

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity – fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

<input checked="" type="checkbox"/>	Other than small entity – fee \$	1,620.00	(37 CFR 1.17(m))
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2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Preliminary Amendment/Response to Notice of Non-Compliant Amendment (identify type of reply):

☐ has been filed previously on _____

☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

☐ has been paid previously on _____

☐ is enclosed herewith.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

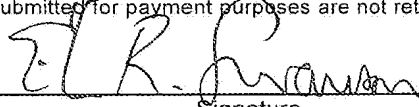
3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

May 20, 2009

Date

Erik R. Swanson

Typed or printed name

40,833

Registration Number, if applicable

DARBY & DARBY P.C.
P.O. Box 770
Church Street Station
New York, New York 10008-0770

Address

(212) 527-7700

Telephone Number

Enclosures:

- ☒ Fee Payment
- ☐ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☒ Other: Preliminary Amendment/Response to Notice of Non-Compliant Amendment; copy of previously submitted Substitute Specification (marked-up and clean version)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Klaus Ohm

Application No.: 10/009,971

Confirmation No.: 3314

Filed: October 30, 2001

Art Unit: 2863

For: METHOD OF DETERMINING THE SALT
CONTENT OF LIQUID AND DEVICE FOR
PRACTICING THE METHOD

Examiner: A. S. Bhat

**PRELIMINARY AMENDMENT/ RESPONSE TO NOTICE OF NON-COMPLIANT
AMENDMENT**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 20, 2009

Dear Sir:

INTRODUCTORY COMMENTS

In response to the February 5, 2004 Notice of Non-Compliant Amendment, please amend the above-identified U.S. patent application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 8 of this paper.

Application No. 10/009,971
Amendment dated May 20, 2009
Reply to Office Action of February 5, 2004

Docket No.: 21381/0212114-US0

AMENDMENTS TO THE SPECIFICATION

Please replace the specification with the substitute specification attached hereto with markings showing changes in compliance with 37 CFR § 1.125(b) and (c). A clean copy of the specification is also attached. The substitute specification includes no new matter.

AMENDMENTS TO THE CLAIMS

Please cancel claims 1-19 without prejudice or disclaimer of the subject matter recited therein. No new matter has been added.

Please add new claims 20-38 as indicated in the listing of claims below.

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of the claims

Claims 1 – 19 (cancelled)

Claim 20 (new): A method of determining the salinity of liquids by standard calibrated measurements of the electrical conductivity of a heated liquid sample in a measuring cell, comprising the steps of:

arranging the measuring cell in a constantly cooled and mechanically stirred as well as heatable water bath insulated to the exterior under control parametric consideration of the thermal conditions in the water bath;

measuring the actual temperature (ϑ_B) as an equivalent of the temperature (ϑ_p) of the sample at a high repetitive accuracy and with a maximum permissible lag error ($\Delta\vartheta_{\max}$) between the temperature of the water bath and sample temperature (ϑ_B, ϑ_p) set by the required accuracy of determining the salinity (S), the control parameter for taking into account the thermal conditions being the time-wise drift ($\alpha = \Delta\vartheta_B/t$) of the temperature (ϑ_B) derivable from the temperature measurements, the permissible maximum value (α_{\max}) of which is defined as the quotient ($\alpha_{\max} = \Delta\vartheta_{\max}/T$) of the maximum permissible lag error ($\Delta\vartheta_{\max}$) and a time constant (T) of the measuring cell (MC) for a temperature equalization between the interior of the measuring cell and the water bath (WB), and

controlling the permissible maximum value of the time-wise drift (α_{\max}) of the temperature (ϑ_B) of the water bath by maintaining a low-lag and quickly controllable compensation of the heat currents (P_{\pm}) flowing into and out of the water bath (WB) such that the resulting quantity of the residual heat current (P_{rest}) does not exceed a predetermined maximum value (P_{restmax}).

Claim 21 (new): The method of claim 20, further comprising the step of maintaining the temperature (ϑ_B) of the water bath by the resultant residual heat current (P_{rest}) at the mean ambient temperature approximately with a deviation of ± 1 K.

Claim 22 (new): The method of claim 21, further comprising the step of utilizing the energy input into the water bath (WB) by the stirring (P_R) for the quick and low-lag controllable heating (P_H) thereof.

Claim 23 (new): The method of claim 22, further comprising the step of providing high heat resistance (R) of the exterior insulation (I) of the water bath (WB).

Claim 24 (new): The method of claim 23, further comprising the step of providing water bath cooling (PE) of high heat resistance (R) on the side of the bath.

Claim 25 (new): The method of claim 24, further comprising the step of adjusting the temperature of the liquid sample (ϑ_p) to the temperature (ϑ_B) of the water bath in a separately controlled advance bath (PB).

Claim 26 (new): The method of claim 25, further comprising the steps of carrying out the measuring sequence automatically by a computer (PC) and of calculating the salinity (S) of the liquid sample ($PROBE$) from the measured values of temperature (ϑ_B) and conductivity (κ) on the basis of the UNESCO formula.

Claim 27 (new): An apparatus for determining the salinity of liquids by standard calibrated measurements of the electrical conductivity of a heated liquid sample, comprising:

a vial for holding a sample of the heated liquid;
a measuring cell arranged in a water bath;
means for transferring the heated liquid from the vial to the measuring cell;
means in the water bath for cooling, stirring and heating;
a heat exchanger;
insulation means disposed at an external wall of the water bath;
a control device for controlling the actual temperature (ϑ_b) of the water bath at

high repetitive accuracy and at a maximum permissible lag error ($\Delta\vartheta_{\max}$) between the water bath and sample temperature (ϑ_b , ϑ_p) determined by the accuracy demanded by the determination of salinity (S) as the equivalent of the temperature (ϑ_p) of the sample, the control parameter for taking into account the thermal conditions being the time-wise drift ($\alpha = \Delta\vartheta_B/t$) of the temperature (ϑ_b) of the water bath the permissible maximum value (α_{\max}) of which is defined as the quotient ($\alpha = \Delta\vartheta_{\max}/\tau$) of the maximum permissible lag error ($\Delta\vartheta_{\max}$) and a time constant (τ) of the measuring cell (MC) for a temperature balancing between the interior of the measuring cell and the water bath (WB), and

means for low-lag and quick adjustment of heat currents (P_{\pm}) flowing into and out of the water bath (WB) for maintaining a permissible maximum value of the time-wise

drift (α_{\max}) of the temperature (ϑ_b) of the water bath such that the quantity of the resulting residual heat current (P_{rest}) does not exceed a corresponding predetermined maximum value (P_{restmax}), and

a precision thermometer (TM) having a long term stability of less than 1 K per year and a time constant of less than .5 s for directly measuring the actual temperature ($\Delta\theta_B$) of the water bath (WB).

Claim 28 (new): The apparatus of claim 27, wherein the precision thermometer (TM) is provided with temperature dependent semiconductor resistors.

Claim 29 (new): The apparatus of claim 28, wherein the means for stirring provided for stirring and heating the water bath (WB) is structured as a rotationally controllable stirring propeller (Q) having a stirring vane (SP) similar to a ship's screw of high hydrodynamic efficiency which and is rotatable by a continuously controllable electric motor (EM) arranged at the exterior of the water bath (WB).

Claim 30 (new): The apparatus of claim 29, wherein at least one Peltier element provided with a thermal insulation (I) at the cooling side of the water bath (WB) is arranged at the wall of the water bath (WB).

Claim 31 (new): The apparatus of claim 30, wherein the measuring cell (MC) is provided with strip electrodes (SE) and has a volume in the range of 2 ml.

Claim 32 (new): The apparatus of claim 31, wherein a separate controllable advance bath (PB) with a preheat exchanger (PWT) is provided for heating the liquid sample (PROBE).

Claim 33 (new): The apparatus of claim 32, wherein for carrying out standard calibrations and measurements there a four-way valve (FV) is provided which comprises inputs respectively connected to a vial (A) of standard sea water (SSW), a bottle (B) of sample water (PROBE) and to cleaning and air conduits (H_2O , Air).

Claim 34 (new): The apparatus of claim 33, wherein a diaphragm pump (MP) is provided for evacuating the measuring cell (MC).

Claim 35 (new): The apparatus of claim 34, wherein a dosage pump (DP) is provided for filling the measuring cell (MC).

Claim 36 (new): The apparatus of claim 35, further comprising a' computer (PC) for regulating the water bath, controlling the measuring sequence, and storing results.

Claim 37 (new): The apparatus of claim 36, further comprising a fully automatic precision balancing bridge for measuring the conductivity of the liquid sample (PROBE).

Claim 38 (new): The apparatus of claim 37, further comprising an indicator for signaling satisfied measuring conditions.

Application No. 10/009,971
Amendment dated May 20, 2009
Reply to Office Action of February 5, 2004

Docket No.: 21381/0212114-US0

REMARKS

Applicant respectfully submits herein a preliminary amendment in compliance with 37 CFR 1.121. The section including amendments to the claims is now presented on a separate sheet of paper. A substitute specification including marked-up and clean version is submitted herewith.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

The Commissioner is hereby authorized to charge any unpaid fees deemed required in connection with this submission, including any additional filing or application processing fees required under 37 C.F.R. §1.16 or 1.17, or to credit any overpayment, to Deposit Account No. 04-0100.

Dated: May 20, 2009

Respectfully submitted,

By 

Erik R. Swanson

Registration No.: 40,833

DARBY & DARBY P.C.

P.O. Box 770

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New York, New York 10008-0770

(212) 527-7700

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Attorneys/Agents For Applicant

Electronic Patent Application Fee Transmittal

Application Number:	10009971			
Filing Date:	30-Oct-2001			
Title of Invention:	Method for determining the salt content of liquid and device for carrying out said method			
First Named Inventor/Applicant Name:	Klaus Ohm			
Filer:	Erik Robert Swanson/Gabriella H			
Attorney Docket Number:	010482-US			
Filed as Large Entity				
U.S. National Stage under 35 USC 371 Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Petition-revive unintent. abandoned appl	1453	1	1620	1620
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				1620

Electronic Acknowledgement Receipt

EFS ID:	5367255
Application Number:	10009971
International Application Number:	
Confirmation Number:	3314
Title of Invention:	Method for determining the salt content of liquid and device for carrying out said method
First Named Inventor/Applicant Name:	Klaus Ohm
Correspondence Address:	Law Offices of Karl Hormann - 86 Sparks Street - Cambridge MA 02138-2216 US - -
Filer:	Erik Robert Swanson/Gabriella H
Filer Authorized By:	Erik Robert Swanson
Attorney Docket Number:	010482-US
Receipt Date:	20-MAY-2009
Filing Date:	30-OCT-2001
Time Stamp:	12:59:38
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$ 1620

RAM confirmation Number		7642			
Deposit Account		040100			
Authorized User					
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions.	Signed_Petition_to_revive.PDF	1243400	no	2
			a1231e941338de8e35735e0b39417aa979b8b7d15		
Warnings:					
Information:					
2		Signed_Amendment.PDF	3200217	yes	8
			95ca0e11466d128ca600de0135fc0ffc0e1cabb97a9		
	Multipart Description/PDF files in .zip description				
	Document Description	Start	End		
	Preliminary Amendment	1	1		
	Specification	2	2		
	Claims	3	7		
	Applicant Arguments/Remarks Made in an Amendment	8	8		
Warnings:					
Information:					
3	Specification	Subst_Spec_Marked_up.PDF	16827896	no	30
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Warnings:					
Information:					
4	Specification	Subst_Spec_Clean_Copy.PDF	16078736	no	28
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Warnings:					
Information:					
5	Fee Worksheet (PTO-875)	fee-info.pdf	30498	no	2
			c95ee685e17a1af760d78cdce3f170b106b66118		
Warnings:					
Information:					
Total Files Size (in bytes):			37380747		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

**DARBY &
DARBY**

PROFESSIONAL CORPORATION

INTELLECTUAL PROPERTY LAW

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EXHIBIT B

August 14, 2009

ERIK R. SWANSON
PRINCIPAL
(0)69 713 7798-0
eswanson@darbylaw.com

VIA FACSIMILE (001 617 491 8877) AND CERTIFIED MAIL

Karl Hormann, Esq.
Law Offices of Karl Hormann
86 Sparks Street
Cambridge MA 02138-2216
USA

Your Reference: 010482-US
AWI Reference: AWI 1999/04/11 US
Darby Reference: 21381/0212114-US0

**Re: Abandonment of U.S. Patent Application 10/009,971, filed October 30,
2001**

Dear Mr. Hormann:

The above-referenced application became abandoned on December 13, 2003.

As your office was responsible for prosecution of the application when the reply necessary to avoid abandonment was due, we are writing to ask you to provide a statement explaining why action was not timely taken to prevent the application from becoming abandoned. We ask that your statement explain why this application became abandoned while it was under your control, what efforts you made to reply to the Notice of Non-Compliant Amendment mailed November 12, 2003 and with whom this matter was discussed outside of your office. We ask that your statement include at least the following to the extent applicable:

- (1) evidence concerning the procedures in place that should have avoided the error resulting in the delay;
- (2) evidence concerning the training and experience of the person(s) responsible for the error; and

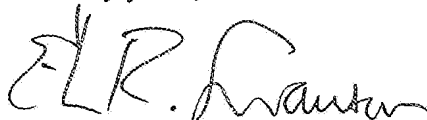
Karl Hormann, Esq.
August 14, 2009
Page 2

- (3) copies of any applicable docketing records to show that the error was in fact the cause of the delay.

We ask that you include copies of any correspondence relating to not filing a reply to the Notice of Non-Compliant Amendment by you or other persons involved with this application at the time of the abandonment. To the extent there are other persons having first hand knowledge of the circumstances surrounding the lack of a reply to the outstanding notice, we ask that you provide statements from those persons.

Please do not hesitate to contact me if you have any questions about this matter. We ask that you provide your statement(s) within one month of the date of this letter, i.e., by September 14, 2009.

Sincerely yours,



Erik R. Swanson

ERS:am

cc: Joachim Cochu, TTTBerlin

EXHIBIT C

KARL HORMANN
ATTORNEY AT LAW

86 SPARKS STREET
CAMBRIDGE, MASSACHUSETTS 02138 U.S.A.
TEL. (617) 491-8867
FAX (617) 491-8877
E-MAIL: HORMANNLAW@AOL.COM

2 September 2009

Erik R. Swanson, Esq.
Darby & Darby
Liebigstraße 51

D-60323 Frankfurt / Main
Germany

Advance by Telefax 011.49.69.713.7798-29

Re: Your 21381/0212114-US); my 010482-US
U.S. Patent Application 10/009,971 - Ohm

Dear Mr. Swanson,

Thank you for your letter of 14 August 2009, enquiring what action was taken by me in response to a Notice of Non-Compliant Amendment allegedly mailed 12 November 2003.

No action was taken because to the best of my knowledge and memory no such action has been received to date. A thorough search of my office would seem to confirm that no action was received. Assuming the due date for the action to have been the usual one month from its mailing date there would have been a calendar entry of 19 December 2003 or if for some reason a longer period for response had been granted, the same day of the months of January or February 2003 would have shown a due date for this application.

My time honoured procedure of dealing with incoming office actions, taken over from the practices of the patent department of the United Shoe Machinery Corporation at Boston, Massachusetts where I commenced "reading" patent law in 1965, has been first to date stamp the actions and entering their due dates in a manual calendar before attaching the actions to their respective prosecution files for reporting to their originating clients in their language (usually German) and, in some cases, suggesting responses.

Thereafter, the files would be chronologically placed in special cabinets reserved for actions with pending due dates. In rare cases clients would be reminded of approaching due dates; but usually instructions were received for timely responses or petitions for extensions of due dates.

None of those actions had taken place in connexion with the instant case, for I personally retrieved its prosecution file from a cabinet of pending applications in which no actions had yet

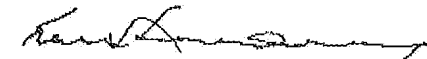
been received or receipt of responses to actions had been acknowledged by the Patent and Trademark Office by a post card receipt.

Since in the instant application the action allegedly mailed by the Patent and Trademark Office was one for Non-Compliant or formally defective Amendment, it would in normal circumstances have been responded to substantially at once by taking appropriate corrective action after entering its due date in the manual calendar and matching it to the prosecution file.

The nature of my practice having been to serve a foreign i.e. non-English speaking clientele I, as a sole practitioner, performed all the above actions myself.

I regret that the application became abandoned. My not receiving the Office Action referred to indicates that the abandonment was unavoidable. I can only hope that you will be successful in your attempts to revive it.

Yours sincerely,



K. Hormann

KH:at

EXHIBIT D

Docket No.: 21381/0212114-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Klaus Ohm

Application No.: 10/009,971

Confirmation No.: 3314

Filed: October 30, 2001

Art Unit: 2863

For: METHOD OF DETERMINING THE SALT
CONTENT OF LIQUID AND DEVICE FOR
PRACTICING THE METHOD

Examiner: A. S. Bhat

DECLARATION IN SUPPORT OF RENEWED PETITION TO REVIVE
UNDER 37 C.F.R. § 1.137(b)

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Nicola Cochu, declare as follows:

1. I am an employee of Technologie Transfer Tätigkeiten, Gräfenberger Weg 1A, 12205 Berlin, Germany (hereinafter "TTT"). TTT was responsible to its client, Stiftung Alfred-Wegener-Institut Für Polar- und Meeresforschung, Am Handelshafen 12, 27570 Bremerhaven, Germany (hereinafter "AWI"), for managing the filing and the prosecution of U.S. Patent Application No. 10/009,971 entitled "METHOD OF DETERMINING THE SALT CONTENT OF LIQUID AND DEVICE FOR PRACTICING THE METHOD" (hereinafter "the '971 Application"), assigned to AWI. I am familiar with the '971 Application, and I am responsible at TTT for managing the prosecution of the '971 Application.

2. On or around September 9, 2003, Karl Hormann, the U.S. Patent attorney who was responsible to us for the filing and prosecution of the '971 application, sent us a copy of the response filed to an Office action dated March 11, 2003.

3. Beginning on or about September 10, 2003, my office stopped receiving regular communications from Mr. Hormann, the attorney responsible for the prosecution of the '971 Application.

4. My office did not receive any communications from Mr. Hormann regarding Notice of Non-Compliant Amendment mailed February 5, 2004 or the Notice of Abandonment mailed September 9, 2004. We first became aware of the abandonment in February 2009 (see Point 8 below).

5. In April 2005, I contacted Mr. Hormann to request a status update. Mr. Hormann replied on April 20, 2005, stating that the last correspondence he had had with the USPTO was the answer filed September 8, 2003 in response to the Office action dated March 11, 2003, and that he would send a status enquiry to the USPTO.

6. After April 20, 2005, we received no further information from Mr. Hormann regarding the prosecution of the '971 Application.

7. In late 2008 we asked current representatives DARBY & DARBY PC to investigate the status of the '971 Application, as well as several other applications.

8. On or about February 26, 2009, current representatives DARBY & DARBY PC gave me a status update of several applications, including the '971 Application, at which time we learned that the '971 Application had become abandoned.

9. On or about April 21, 2009, I transferred responsibility for the '971 application to my current representatives DARBY & DARBY PC, and I instructed DARBY & DARBY PC to file a Petition to Revoke.

10. I further state that all statements made herein are of my own knowledge true; and further that these statements were made with my knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: *M. Sept. 2009*

By 
Nicola Cochu

EXHIBIT E

IFW 18



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application: 10/009,971
Filed: 30 October 2001
Inventor: Ohm, Klaus
For: Method of Determining the Salt Content
of a Liquid and Device for Practicing
the Method

86 Sparks Street
Cambridge MA 02138-2216
20 April 2005

Hon.
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Status Enquiry

Sir:

By a post card receipt, the Patent and Trademark Office acknowledged receipt, on 11 September 2003, of Applicant's response to the Official Action of 11 March 2003. But for another Post Card Receipt acknowledging receipt of a petition to extend the period for response to that action by three months, nothing further has been received from the Office.

Therefore, Applicant courteously requests information relating to the further examination of his instant application.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Karl Hormann".

Karl Hormann
Registration No.: 26,470

Area Code: 617-491-8867

EXHIBIT F

PTO/SB/98 (12-05)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Stiftung Alfred-Wegener-Institut fuer Polar- und Meeresforschung

Application No./Patent No./Control No.: 10/009,971 Filed/Issue Date: October 30, 2001

Entitled: METHOD OF DETERMINING THE SALT CONTENT OF LIQUID AND DEVICE FOR PRACTICING THE METHOD

Stiftung Alfred-Wegener-Institut fuer Polar- und Meeresforschung, a Foundation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
 2. ☐ an assignee of less than the entire right, title and interest.
(The extent (by percentage) of its ownership interest is _____ %)
- in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy of the original assignment is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Erik R. Swanson
Signature

May 19, 2009
Date

Erik R. Swanson
Printed or Typed Name

(212) 527-7700
Telephone Number

Registration Number 40,833

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statements under 37 CFR 3.73(b) which statements have been prepared by the practitioners associated with Customer Number 07278 with the Assignee's authorization.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

07278

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number:

07278

OR

☐ Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email

Assignee Name and Address:

Stiftung Alfred-Wegener-Institut fuer Polar- und Meeresforschung, Columbusstrasse, 27568
Bremerhaven, Germany

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

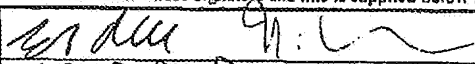
Signature		Date	18.08.2008
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Title	Legal adviser		

EXHIBIT G



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10/009,971	10/30/2001	Klaus Ohm	010482-US

CONFIRMATION NO. 3314

POA ACCEPTANCE LETTER



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NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/19/2009.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/snguyen/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101